

1 HAEJI HONG, ATTORNEY #198503  
2 TRIAL ATTORNEY  
3 OFFICE OF THE UNITED STATES TRUSTEE  
4 402 West Broadway, Suite 600  
5 San Diego, CA 92101  
6 (619) 557-5013

7 Attorney for  
8 TIFFANY L. CARROLL  
9 ACTING UNITED STATES TRUSTEE

10 UNITED STATES BANKRUPTCY COURT  
11 SOUTHERN DISTRICT OF CALIFORNIA

12 In re: ) Case No.: 08-04626-LT13  
13 )  
14 DONALD R. SOUCY, ) EX PARTE APPLICATION FOR ORDER  
15 ) TO SHOW CAUSE WHY ATTORNEY  
16 ) SHOULD NOT DISGORGE FEES OR  
17 ) SANCTIONED  
18 )  
19 ) Date: Ex Parte Application  
20 ) Time:  
21 ) Dept: Three (3)  
22 ) Room: 129  
23 ) Judge: Hon. Laura S. Taylor  
24 )

25 Comes now, the Acting United States Trustee (the "United States Trustee" or "UST"),  
26 pursuant to Federal Rule of Bankruptcy Procedure 9020, Local Bankruptcy Rule 9020, and Local  
27 Bankruptcy Rule 9013-6(a)(1)(I), the following Ex Parte Application for Order to Show Cause  
28 for Attorney to Appear Before the Court on Why Attorney Should Not Disgorge Fees or  
Sanctioned ("Application for OSC"). Steven Houbeck (the "Attorney" or "Mr. Houbeck")  
appears to have misrepresented to Bankruptcy Courts in the Southern District of California  
regarding the amount of fees he received in a number of chapter 13 cases. Therefore, the UST  
requests that the Court grant this Application and hold a hearing on all of the cases.<sup>1</sup> In support  
thereof, the United States Trustee provides the following:

**FACTS**

<sup>1</sup> This Application for OSC is substantially same as the Application for OSC filed in  
Abdolrazaghi, Case No. 09-04234-LT13.

1 Jamshid Abdolrazaghi filed a voluntary chapter 13 proceeding on March 31, 2009.  
 2 Steven Houbeck is reflected as the attorney representing the Debtor.<sup>2</sup> Mr. Houbeck filed a  
 3 Disclosure of Compensation of Attorney for Debtor pursuant to 11 U.S.C. § 329(a) and  
 4 Bankruptcy Rule 2016(b) ("Rule 2016 Statement") on March 31, 2009.<sup>3</sup> Rule 2016 Statement  
 5 reflects that Mr. Houbeck was paid \$1,000 prior to the filing and that he is owed \$2,300. 11  
 6 U.S.C. § 341(a)<sup>4</sup> Meeting of Creditors was held on May 1, 2009. A representative of the Office  
 7 of the UST appeared and asked Mr. Abdolrazaghi directly on how much he paid Mr. Houbeck.  
 8 The debtor in that case testified that he had paid \$2,800 to Mr. Houbeck.<sup>5</sup>

9 Trina Nadi filed a voluntary chapter 13 proceeding on October 15, 2008, and Mr.  
 10 Houbeck is reflected as the attorney representing the debtor in that case.<sup>6</sup> In that case, Mr.  
 11 Houbeck disclosed in the Rule 2016 Statement that he was paid \$500 prior to the filing.<sup>7</sup> On  
 12 April 20, 2009, the Court entered an order confirming the chapter 13 plan and approved  
 13 compensation to Mr. Houbeck ("Nadi Confirmation Order") a total unpaid balance of fees of  
 14 \$3,250.<sup>8</sup> The Nadi Confirmation Order as submitted by Mr. Houbeck further disclosed that he  
 15 had received a total fee of \$500 to date. On or about April 27, 2009, the chapter 13 trustee  
 16 appointed in this case – David Skelton – forwarded a complaint from the debtor indicating that  
 17 she previously paid a total of \$2,500 to Mr. Houbeck. Attached hereto as **Exhibit 6** is a copy of  
 18 the debtor's written complaint that was forwarded to the UST's Office, including receipts  
 19

20 <sup>2</sup> See Docket of Case No. 09-04234-LT13 attached hereto as **Exhibit 1**. The United States  
 21 Trustee requests that the court take judicial notice of the docket and all pleadings filed in this  
 case pursuant to Federal Rule of Evidence, 201.

22 <sup>3</sup> See Rule 2016 Statement filed as Docket #1 of Case No. 09-04234-LT13 and attached hereto as  
 23 **Exhibit 2**.

24 <sup>4</sup> All section references are to the Bankruptcy Code, and all rule references are to the Bankruptcy  
 Rules unless otherwise indicated.

25 <sup>5</sup> See Declaration of Shannon Vencill in Support of the Application for OSC filed in  
 26 Abdolrazaghi, Case No. 09-04234-LT13, which is attached hereto as **Exhibit A**.

27 <sup>6</sup> See Docket of Case No. 08-10226-LT13 and attached hereto as **Exhibit 3**.

28 <sup>7</sup> See Docket #1 of Case No. 08-10226-LT13 and attached hereto as **Exhibit 4**.

<sup>8</sup> See Docket #39 of Case No. 08-10226-LT13 and attached hereto as **Exhibit 5**.

1 forwarded by the debtor in this case showing that she paid \$1,000 on October 15, 2008, \$1,000  
2 on October 7, 2008, and \$180 on October 2, 2008 to Mr. Houbeck. The forwarded receipts  
3 indicate that the debtor in this case paid at least \$2,180 to Mr. Houbeck prior to the Nadi  
4 Confirmation Order and Rule 2016 Statement.

5 On May 28, 2008, Donald R. Soucy filed a voluntary chapter 13 proceeding, and Mr.  
6 Houbeck is reflected as the attorney representing the debtor in that case.<sup>9</sup> In that case, Mr.  
7 Houbeck disclosed in the Rule 2016 Statement that he was paid \$1,000 prior to the filing.<sup>10</sup> On  
8 September 18, 2008, the Court entered an order confirming the chapter 13 plan and approved  
9 compensation to Mr. Houbeck ("Soucy Confirmation Order") a total unpaid balance of fees of  
10 \$2,300.<sup>11</sup> The Soucy Confirmation Order as submitted by Mr. Houbeck further disclosed that he  
11 had received a total fee of **\$1,000** to date. On or about April 1, 2009, Mr. Soucy contacted the  
12 United States Trustee's Office indicating that he understood that he was to pay \$2,574 to Mr.  
13 Houbeck and that he already paid that amount. Mr. Soucy enclosed a copy of the check dated  
14 May 1, 2008 in the amount of **\$2,574** paid to Mr. Houbeck, and the letter and a copy of the check  
15 is attached hereto as **Exhibit 10**. On or about April 9, 2009, the undersigned sent a letter  
16 requesting that Mr. Houbeck explain and file declaration.<sup>12</sup> In response, Mr. Houbeck filed a  
17 declaration with the Court explaining his accounting in this case.<sup>13</sup>

18 On July 3, 2008, Silvia N. Godwin filed a voluntary chapter 13 proceeding, and Mr.  
19 Houbeck is reflected as the attorney representing the debtor in that case.<sup>14</sup> In that case, Mr.  
20 Houbeck disclosed in the Rule 2016 Statement that he was paid \$1,300 prior to the filing.<sup>15</sup> On  
21

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22 <sup>9</sup> See Docket of Case No. 08-04626-LT13 and attached hereto as **Exhibit 7**.

23 <sup>10</sup> See Docket #1 of Case No. 08-04626-LT13 and attached hereto as **Exhibit 8**.

24 <sup>11</sup> See Docket #40 of Case No. 08-04626-LT13 and attached hereto as **Exhibit 9**.

25 <sup>12</sup> See Letter dated April 9, 2009 from Haeji Hong to Steven Houbeck attached hereto as **Exhibit**  
26 **11**.

27 <sup>13</sup> See Docket #69 of Case No. 08-04626-LT13 and attached hereto as **Exhibit 12**.

28 <sup>14</sup> See Docket of Case No. 08-06198-LT13 and attached hereto as **Exhibit 13**.

<sup>15</sup> See Docket #1 of Case No. 08-06198-LT13 and attached hereto as **Exhibit 14**.

1 August 22, 2008, the Court entered an order confirming the chapter 13 plan and approved  
 2 compensation to Mr. Houbeck ("Godwin Confirmation Order") a total unpaid balance of fees of  
 3 \$2,000.<sup>16</sup> The Godwin Confirmation Order as submitted by Mr. Houbeck further disclosed that  
 4 he had received a total fee of **\$1,300** to date. On or about March 25, 2009, Ms. Godwin  
 5 contacted the Office of the United States Trustee by writing a letter that indicated that she  
 6 understood she was to pay \$2,774 and that she already paid that amount. She enclosed a copy of  
 7 two checks dated May 1, 2008 in the amount of \$2,774 and January 6, 2008 in the amount of  
 8 \$200. Ms. Godwin's letter and copy of the checks are attached hereto as **Exhibit 16**. On or  
 9 about April 9, 2009, the undersigned sent a letter requesting that Mr. Houbeck explain and file  
 10 declaration.<sup>17</sup> In response, Mr. Houbeck filed a declaration with the Court explaining his  
 11 accounting in this case.<sup>18</sup>

### 12 ANALYSIS

13 Mr. Houbeck appears to have violated Rule 2016. The Court can order disgorgement of  
 14 fees and/or sanction for violating disclosure rules.

15 Rule 2016(a) requires that when a debtor's attorney seeks compensation for fees, that the  
 16 attorney file an application that includes "a statement as to what payments have theretofore been  
 17 made or promised." Rule 2016(b) requires that the debtor's attorney, whether applying for  
 18 compensation or not, must also file a statement regarding compensation.

19 The Ninth Circuit Court of Appeals held that the disclosure rules are strictly applied.  
 20 Thus, "[e]ven a negligent or inadvertent failure to disclose fully relevant information may result  
 21 in a denial of all requested fees." *Neben & Starrett, Inc. v. Chartwell Financial Corp. (In re*  
 22 *Park-Helena Corp.)*, 63 F.3d 877, 882 (9th Cir. 1995). The debtor's counsel must disclose  
 23 "precise nature of the fee arrangement." *Id.* at 881.

24 The Court has inherent authority over debtor's attorney's compensation. *Law Offices of*

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25  
 26 <sup>16</sup> See Docket #19 of Case No. 08-06198-LT13 and attached hereto as **Exhibit 15**.

27 <sup>17</sup> See Letter dated April 9, 2009 from Haeji Hong to Steven Houbeck attached hereto as **Exhibit**  
 28 **11**.

<sup>18</sup> See Docket #37 of Case No. 08-06198-LT13 and attached hereto as **Exhibit 17**.

1 *Nicholas A. Franke v. U.S.T. (In re Lewis)*, 113 F.3d 1040, 1045 (9th Cir. 1997). The Court may  
2 order disgorgement of attorney fees of an attorney that violates disclosure rules of the  
3 Bankruptcy Code and Bankruptcy Rules. *Id.* If the debtor's counsel has already received the  
4 fees, the Court may order disgorgement of fees already received. *In re Perrine*, 369 B.R. 571,  
5 580-81 (Bankr.C.D.Cal. 2007). Additionally, failure to disclose may result in sanctions  
6 regardless of actual harm. *Id.*

7 In this case and in other cases as noted in the Facts section above, Mr. Houbeck appears  
8 to have disclosed a substantially lower amount than he received from the debtors. Such failure to  
9 disclose accurate amount of fees already received from the debtors is grounds for complete  
10 disgorgement of fees and/or sanctions. Therefore, the Court should issue an Order to Show  
11 Cause.

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**CONCLUSION**

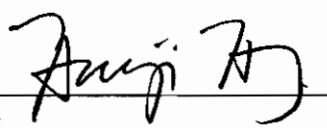
WHEREFORE, the United States Trustee requests that the Court issue an Order to Show Cause why Mr. Houbeck should not disgorge his fees or be sanctioned. The United States Trustee further requests that the Court set ONE hearing date for all parties - Mr. Houbeck, debtors referenced in the Facts section above, and the United States Trustee -- to be heard on the issues alleged in this Application as soon as possible.<sup>19</sup>

Respectfully submitted,

TIFFANY L. CARROLL  
ACTING UNITED STATES TRUSTEE

Dated: June 22, 2009

By: /s/ Haeji Hong

  
Haeji Hong  
Attorney for the Acting United States  
Trustee

<sup>19</sup> The UST is also filing an Application for OSC in (1) Abdolrazaghi, Case No. 09-04234-LT13-LT13; (2) Nadi, Case No. 08-10226-LT13; and (3) Godwin, Case No. 08-06198-LT13. The UST requests that the hearing for all of these cases be held at the same time.

1 HAEJI HONG, ATTORNEY #198503  
2 TRIAL ATTORNEY  
3 OFFICE OF THE UNITED STATES TRUSTEE  
4 402 West Broadway, Suite 600  
5 San Diego, CA 92101  
6 (619) 557-5013

7 Attorney for  
8 TIFFANY L. CARROLL  
9 ACTING UNITED STATES TRUSTEE

10 UNITED STATES BANKRUPTCY COURT  
11 SOUTHERN DISTRICT OF CALIFORNIA

11 In re:	) Case No.: 09-04234-LT13
12 JAMSHID ABDOLRAZAGHI,	) DECLARATION OF SHANNON VENCILL
13 Debtor.	) IN SUPPORT OF EX PARTE
	) APPLICATION FOR ORDER TO SHOW
	) CAUSE WHY ATTORNEY SHOULD NOT
	) DISGORGE FEES OR BE SANCTIONED
	)
	) Date: Ex Parte Application
	) Time:
	) Dept: Three (3)
	) Room: 129
	) Judge: Hon. Laura S. Taylor

18  
19 I, Shannon Vencill, declare as follows:

20 1. I am a paralegal specialist employed by the Office of United States Trustee for the  
21 Southern District of California, and have personal knowledge of the facts stated herein and could  
22 competently testify thereto if called upon as a witness to do so.

23  
24 2. Jamshid Abdolrazaghi filed a voluntary chapter 13 proceeding on March 31, 2009.

25 3. The initial 11 U.S.C. § 341(a) Meeting of Creditors was held on May 1, 2009.

26 4. I attended and appeared on the record, at the § 341(a) Meeting of Creditors, held on  
27 May 1, 2009. The Debtor was duly sworn and provided testimony under oath.  
28

1           5. I questioned the debtor directly as to the amount he paid to Mr. Houbeck for  
2 services relating to his bankruptcy. The debtor testified that he had paid \$2,800 to Mr.  
3 Houbeck.

4           I declare under penalty of perjury that, to the best of my knowledge, the foregoing  
5 statements are true and correct. Executed this 17<sup>th</sup> day of June, 2009 at San Diego,  
6 California.  
7

8  
9                               /s/ Shannon Vencill  
10                              Shannon Vencill





DebtEd

**U.S. Bankruptcy Court  
Southern District of California (San Diego)  
Bankruptcy Petition #: 09-04234-LT13**

*Date filed:* 03/31/2009

*Assigned to:* Judge Laura S. Taylor  
Chapter 13  
Voluntary  
Asset

**Debtor**

**Jamshid Abdolrazaghi**  
18244 Mirasol Drve  
San Diego, CA 92128-1319  
SSN / ITIN: xxx-xx-5587

represented by **Steven R. Houbeck**

PO Box 150  
Cardiff, CA 92007  
619-463-4357  
Email: Cicero68@AOL.com

**Trustee**

**David L. Skelton**  
525 B St., Suite 1430  
San Diego, CA 92101-4507  
619-338-4006

represented by **David L. Skelton 4**

525 B St., Suite 1430  
San Diego, CA 92101-4507  
619-338-4006  
Fax : 619.239.5242

Filing Date	#	Docket Text
06/15/2009	<a href="#"><u>13</u></a>	Notice of Hearing on Objection to Confirmation of Chapter 13 Plan. filed by David L. Skelton 4 on behalf of David L. Skelton. <b>HEARING Scheduled for 10/7/2009 at 10:00 AM at Courtroom 4, Room 328, Weinberger Courthouse</b> (related documents <a href="#"><u>12</u></a> Objection to Confirmation of Chapter 13 Plan) (Skelton 4, David) (Entered: 06/15/2009)
06/15/2009	<a href="#"><u>12</u></a>	Objection to Confirmation of Chapter 13 Plan and Certificate of Service. filed by David L. Skelton 4 on behalf of David L. Skelton. (related documents <a href="#"><u>2</u></a> Chapter 13 Plan) (Skelton 4, David) (Entered: 06/15/2009)
04/29/2009	<a href="#"><u>11</u></a>	Notice of Appearance and Request for Notice filed by Marisol Antonio Nagata on behalf of OneWest Bank, FSB its assigns and/or successors in interest. (Nagata, Marisol) (Entered: 04/29/2009)
04/02/2009	<a href="#"><u>10</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>2</u></a> Chapter 13 Plan) Service Date 04/04/2009. (Admin.) (Entered: 04/04/2009)

EXHIBIT 1

04/02/2009	9	Court Certificate of Mailing - BNC (related documents & Meeting of Creditors) Service Date 04/04/2009. (Admin.) (Entered: 04/04/2009)
03/31/2009	8	Meeting of Creditors & Notice of Appointment of Interim Trustee David L. Skelton with <b>341(a) meeting to be held on 05/01/2009 at 03:00 PM at 402 W. Broadway, Sixth Floor, Suite 630 San Diego, CA 92101.</b> , Complaint to determine dischargeability of certain debts deadline: 06/30/2009. Proof of Claim due by 07/30/2009. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	7	Rights and Responsibilities of Chapter 13 Debtors and their Attorney filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	6	Receipt of Chapter 13 Voluntary Petition(09-04234-13) [misc,1305u] ( 274.00) Filing Fee. Fee Amount 274.00 Receipt number 4113665. (U.S. Treasury) (Entered: 03/31/2009)
03/31/2009	5	Receipt of Statement of Social Security Number COURT NOTE: The PDF document is a secured image. filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	4	Declaration Re: Electronic Filing filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	3	Certificate of Credit Counseling for Debtor filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	2	Chapter 13 Plan filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. (Houbeck, Steven) (Entered: 03/31/2009)
03/31/2009	1	Chapter 13 Voluntary Petition, Schedules A-J & Statement of Financial Affairs Fee Amount \$ 274.00 filed by Steven R. Houbeck on behalf of Jamshid Abdolrazaghi. Declaration re: ECF due by 4/15/2009, (Houbeck, Steven) (Entered: 03/31/2009)

B 203  
(12/94)UNITED STATES BANKRUPTCY COURT  
Southern District of CaliforniaIn re: Jamshid Abdolrazaghi

Debtor

Case No. \_\_\_\_\_

Chapter 13**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>3,300.00</u>
Prior to the filing of this statement I have received	\$	<u>1,000.00</u>
Balance Due	\$	<u>2,300.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]

**Prepetition case preparation and planning, electronic filing, and one (1) 341(a) hearing attendance.**

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**Representation of the debtors in any dischargeability actions, stay violations, judicial lien avoidances, contested matters, abandonment of assets, relief from stay actions or any other adversary proceeding, negotiations with secured creditors to reduce to market value; reaffirmation agreements, redemptions, objections to exceptions; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods or real estate, amendments, 2004 examinations, application to reopen case, chapter conversion, appeals, objections to proof of claim, and retrieval of closed files from storage.**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 3/31/2009

/S/STEVEN R. HOUBECK

Steven R. Houbeck, Bar No. 168018

Steven R. Houbeck, Esq.

Attorney for Debtor(s)

DebtEd

**U.S. Bankruptcy Court  
Southern District of California (San Diego)  
Bankruptcy Petition #: 08-10226-LT13**

Date filed: 10/15/2008

Assigned to: Judge Laura S. Taylor  
Chapter 13  
Voluntary  
Asset

**Debtor****Trina Nadi**

2749 Mission Village Drive  
San Diego, CA 92123  
SSN / ITIN: xxx-xx-2143

represented by **Steven R. Houbeck**

PO Box 150  
Cardiff, CA 92007  
619-463-4357  
Email: Cicero68@AOL.com

**Trustee****David L. Skelton**

525 B St., Suite 1430  
San Diego, CA 92101-4507  
619-338-4006

Filing Date	#	Docket Text
05/18/2009	<a href="#">44</a>	Court Certificate of Mailing - BNC (related documents <a href="#">43</a> Notice of Claims Filed and Intention to Pay Claims) Service Date 05/20/2009. (Admin.) (Entered: 05/20/2009)
05/18/2009	<a href="#">43</a>	Notice of Claims Filed and Intention to Pay Claims (Entered: 05/18/2009)
04/28/2009	<a href="#">42</a>	Notice of Withdrawal of Document (W/D of Motion for Relief from Stay, RS #BPN1) filed by Bruce P. Needleman on behalf of USC Credit Union. (related documents <a href="#">23</a> Motion for Relief from Stay) (McGrew, J.) (Entered: 04/29/2009)
04/21/2009	<a href="#">41</a>	<b>Minute Order. Hearing DATE: 04/21/2009, MATTER: MOTION FOR RELIEF FROM STAY, RS # BPN1 FILED BY USC CREDIT UNION (fr 4/7/09). DISPOSITION: See Attached PDF document for details. (vCal Hearing ID (87536)). (related documents <a href="#">23</a> Motion for Relief from Stay) (McGrew, J.) (Entered: 04/22/2009)</b>

EXHIBIT 3

04/21/2009	40	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Trustee, Debtor, and Attorney for Debtor (Houbeck), at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents 39 Order for Confirmation of Chapter 13 Plan) (McGrew, J.) (Entered: 04/21/2009)
04/20/2009	39	Order w/Application for Compensation and Confirmation of Chapter 13 Plan (GRANTED) signed on 4/20/2009. (Applicant: Steven R. Houbeck, Attorney for Debtor - Fees awarded: \$3750.00, Awarded on 4/21/2009). (McGrew, J.) (Entered: 04/21/2009)
04/07/2009	38	<b>Minute Order. Hearing DATE: 04/07/2009, MATTER: MOTION FOR RELIEF FROM STAY, RS # BPN1 FILED ON BEHALF OF USC CREDIT UNION (fr 3/24/09). DISPOSITION: See Attached PDF document for details. (vCal Hearing ID (86781)). HEARING Scheduled for 04/21/2009 at 10:00 AM at Courtroom 1, Room 218, Weinberger Courthouse</b> (related documents 23 Motion for Relief from Stay) (Purkey, J.) (Entered: 04/07/2009)
03/24/2009	37	<b>Minute Order. Hearing DATE: 03/24/2009, MATTER: MOTION FOR RELIEF FROM STAY, RS # BPN1 FILED ON BEHALF OF USC CREDIT UNION (fr 2/24/09). DISPOSITION: See Attached PDF document for details. (vCal Hearing ID (83793)). HEARING Scheduled for 04/07/2009 at 10:00 AM at Courtroom 3, Room 129, Weinberger Courthouse</b> (related documents 23 Motion for Relief from Stay) (Purkey, J.) (Entered: 03/24/2009)
03/10/2009	36	Notice of Continued Hearing <i>on Motion for Relief from Stay (RS #BPN1)</i> filed by Bruce P. Needleman on behalf of USC Credit Union -- <b>HEARING Scheduled for 3/24/2009 at 10:00 AM at Courtroom 3, Room 129, Weinberger Courthouse.</b> (related documents 23 Motion for Relief from Stay, 35 Redacted Motion for Relief from Stay) (McGrew, J.). Modified on 3/11/2009 (McGrew, J.). (Entered: 03/11/2009)
03/10/2009	35	<b>REDACTED</b> Motion for Relief from Stay, RS # BPN1 ( <i>Personal Property</i> ); <i>Declaration of Ed Haselwood in Support; Proof of Service.</i> Fee Paid Fee Amount \$ 0.00 filed by Bruce P. Needleman on behalf of USC Credit Union (related documents 23 Motion for Relief from Stay) (McGrew, J.). Modified on 3/11/2009 (McGrew, J.). (Entered: 03/11/2009)
		Notice Taking Matter Off Calendar ( <i>re Trustee's Objection to Confirmation of Ch 13 Plan</i> ). Hearing Date and Time:



03/09/2009	● <u>34</u>	03/11/2009 AT 11:00 AM. Dept: 2 filed by David L. Skelton 5 on behalf of David L. Skelton. (related documents <u>12</u> Objection to Confirmation of Chapter 13 Plan) (Skelton 5, David). Modified on 3/12/2009 (McGrew, J.). (Entered: 03/09/2009)
03/05/2009	● <u>33</u>	Court Certificate of Mailing - BNC (related documents <u>32</u> Assignment/Transfer of Claim) Service Date 03/07/2009. (Admin.) (Entered: 03/07/2009)
03/03/2009	● <u>32</u>	Assignment/Transfer of Claim. Transfer Agreement 3001 (e) 2 Transferor: Wells Fargo Card Services (Claim No. 8) To eCAST Settlement Corporation Re: Court Claim # 8 filed by Alane A Becket on behalf of eCAST Settlement Corporation.(Becket, Alane) (Entered: 03/03/2009)
02/26/2009	● <u>31</u>	Notice of Modified Chapter 13 Plan Prior to Confirmation and Certificate of Service. filed by Steven R. Houbeck on behalf of Trina Nadi. (Attachments: # <u>1</u> Modified Chapter 13 Plan) (related document <u>2</u> Chapter 13 Plan) (Houbeck, Steven). Modified on 3/4/2009 (McGrew, J.). (Entered: 02/26/2009)
02/24/2009	● <u>30</u>	<b>Minute Order. Hearing DATE: 02/24/2009, MATTER: MOTION FOR RELIEF FROM STAY, RS # BPN1 FILED ON BEHALF OF USC CREDIT UNION. DISPOSITION: See Attached PDF document for details.</b> (vCal Hearing ID (83217)). <b>HEARING Scheduled for 03/24/2009 at 10:00 AM at Courtroom 3, Room 129, Weinberger Courthouse</b> (related documents <u>23</u> Motion for Relief from Stay) (Purkey, J.) (Entered: 02/24/2009)
02/23/2009	● <u>29</u>	Declaration of <i>Bruce P Needleman Esq in Reply to Debtor's Opposition to Movant's Motion for Relief from Stay (RS #BPN1)</i> (related documents <u>23</u> Motion for Relief from Stay) filed by Bruce P. Needleman on behalf of USC Credit Union. (McGrew, J.) (Entered: 02/24/2009)
02/17/2009	● <u>28</u>	Declaration of <i>Debtor</i> (related document <u>12</u> Objection to Confirmation of Chapter 13 Plan) filed by Steven R. Houbeck on behalf of Trina Nadi. (Attachments: # <u>1</u> Proof of Service) (Houbeck, Steven). Modified on 2/18/2009 (McGrew, J.). (Entered: 02/17/2009)
02/12/2009	● <u>27</u>	Declaration of <i>Steven Houbeck in Support of Opposition to Motion for Relief from Stay (RS #BPN-1 by USC Credit Union)</i> (related documents <u>23</u> Motion for Relief from Stay) filed by Steven R. Houbeck on behalf of Trina Nadi. (Attachments: # <u>1</u> Exhibit # <u>2</u> Proof of Service) (Houbeck, Steven). Modified on 2/18/2009 (McGrew, J.). (Entered: 02/12/2009)

02/11/2009	26	Opposition to Motion for Relief from Automatic Stay RS #BPN-1 ( <i>USC Credit Union</i> ) filed by Steven R. Houbeck on behalf of Trina Nadi. (Attachments: # <u>1</u> Declaration of Debtor in Opposition) (Houbeck, Steven). Modified on 2/12/2009 (McGrew, J.). (Entered: 02/11/2009)
02/11/2009	25	Request for Hearing on Motion For Relief from Automatic Stay RS #BPN-1 ( <i>USC Credit Union</i> ), and Notice of Hearing with Certificate of Service filed by Steven R. Houbeck on behalf of Trina Nadi -- <b>HEARING Scheduled for 2/24/2009 at 10:00 AM at Courtroom 3, Room 129, Weinberger Courthouse</b> (related documents <u>23</u> Motion for Relief from Stay) (Houbeck, Steven). Modified on 2/12/2009 (McGrew, J.). (Entered: 02/11/2009)
02/02/2009	24	Notice of Filing of a Motion for Relief from Automatic Stay RS # BPN1 filed by Bruce P. Needleman on behalf of USC Credit Union. Notice of Filing of Motion for Relief from Stay Served On: 1/28/2009. Request for Hearing & Opposition due by: 2/11/2009 (related documents <u>23</u> Motion for Relief from Stay) (McGrew, J.) (Entered: 02/03/2009)
02/02/2009	23	Motion for Relief from Stay, RS # BPN1 ( <i>Personal Property</i> ). Fee Amount \$ 150 filed by Bruce P. Needleman on behalf of USC Credit Union (Attachments: # <u>1</u> Declaration of Ed Hazelwood in Support) (McGrew, J.) (Entered: 02/03/2009)
02/02/2009	22	Receipt of Relief from Stay Filing Fee - \$150.00 by KD. Receipt Number 00202076. (Admin.) (Entered: 02/02/2009)
01/14/2009	21	<b>Minute Order. Hearing DATE: 01/14/2009, MATTER: TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN. DISPOSITION: See Attached PDF document for details.</b> (vCal Hearing ID (77671)). <b>HEARING Scheduled for 03/11/2009 at 11:00 AM at Courtroom 2, Room 118, Weinberger Courthouse</b> (related documents <u>12</u> Objection to Confirmation of Chapter 13 Plan) (Wilkinson, M.) (Entered: 01/14/2009)
01/13/2009	20	Declaration of Compliance; Local Rule 3015-6 filed by Steven R. Houbeck on behalf of Trina Nadi.(related document <u>12</u> Objection to Confirmation of Chapter 13 Plan) (Houbeck, Steven). Modified on 1/13/2009 (McGrew, J.). (Entered: 01/13/2009)
01/12/2009	19	Adversary case 09-90011. Complaint by USC Credit Union against Trina Nadi. Nature of Suit: 62 (Dischargeability - 523(a) (2), false pretenses, false representation, actual fraud) , Fee Amount \$ 250 Filed by Bruce P. Needleman on behalf of USC Credit Union. (Dahl, S.) (Entered: 01/12/2009)

01/09/2009	<a href="#"><u>18</u></a>	Declaration of Compliance; Local Rule 3015-6 filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David) (Entered: 01/09/2009)
12/05/2008	<a href="#"><u>17</u></a>	Request for Special Notice filed by Bruce P. Needleman on behalf of USC Credit Union. (Braxton, F.) (Entered: 12/08/2008)
11/27/2008	<a href="#"><u>16</u></a>	Request for Special Notice Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605 filed by Recovery Management Systems Corporation (Singh, Ramesh) (Entered: 11/27/2008)
11/17/2008	<a href="#"><u>15</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>13</u></a> Notice of Hearing on Objection to Confirmation of Chapter 13 Plan, ) Service Date 11/19/2008. (Admin.) (Entered: 11/19/2008)
11/17/2008	<a href="#"><u>14</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>12</u></a> Objection to Confirmation of Chapter 13 Plan) Service Date 11/19/2008. (Admin.) (Entered: 11/19/2008)
11/17/2008	<a href="#"><u>13</u></a>	Notice of Hearing on Objection to Confirmation of Chapter 13 Plan. Filed by David L. Skelton on behalf of David L. Skelton -- <b>HEARING Scheduled for 01/14/2009 at 10:00AM at Courtroom 4, Room 328 Jacob Weinberger U.S. Courthouse.</b> (related document <a href="#"><u>12</u></a> Objection to Confirmation of Chapter 13 Plan) (Skelton, David) (Entered: 11/17/2008). Modified on 11/18/2008 (McGrew, J.). (Entered: 11/17/2008)
11/17/2008	<a href="#"><u>12</u></a>	Objection to Confirmation of Chapter 13 Plan. (related document <a href="#"><u>2</u></a> Chapter 13 Plan ) filed by David L. Skelton on behalf of Trustee (Skelton, David) (Entered: 11/17/2008) (Entered: 11/17/2008)
11/05/2008	<a href="#"><u>11</u></a>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Clm #C3/TR0001/2001 - USC Credit Union</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 11/6/2008 (McGrew, J.). (Entered: 11/05/2008)
10/16/2008	<a href="#"><u>10</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>2</u></a> Chapter 13 Plan) Service Date 10/18/2008. (Admin.) (Entered: 10/18/2008)
10/16/2008	<a href="#"><u>9</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>7</u></a> Meeting of Creditors, ) Service Date 10/18/2008. (Admin.) (Entered: 10/18/2008)



10/15/2008	<a href="#"><u>8</u></a>	Rights and Responsibilities of Chapter 13 Debtors and their Attorney filed by Steven R. Houbeck on behalf of Trina Nadi. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>7</u></a>	Meeting of Creditors & Notice of Appointment of Interim Trustee David L. Skelton with <b>341(a) meeting to be held on 11/14/2008 at 10:00 AM at 402 W. Broadway, Sixth Floor, Suite 630 San Diego, CA 92101.</b> Complaint to determine dischargeability of certain debts deadline: 01/13/2009. Proof of Claim due by 02/12/2009. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	6	Receipt of Chapter 13 Voluntary Petition(08-10226-13) [misc,1305u] ( 274.00) Filing Fee. Fee Amount 274.00 Receipt number 3589974. (U.S. Treasury) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>5</u></a>	Receipt of Statement of Social Security Number COURT NOTE: The PDF document is a secured image. filed by Steven R. Houbeck on behalf of Trina Nadi. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>4</u></a>	Declaration Re: Electronic Filing filed by Steven R. Houbeck on behalf of Trina Nadi. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>3</u></a>	Certificate of Credit Counseling for Debtor filed by Steven R. Houbeck on behalf of Trina Nadi. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>2</u></a>	Chapter 13 Plan filed by Steven R. Houbeck on behalf of Trina Nadi. (Houbeck, Steven) (Entered: 10/15/2008)
10/15/2008	<a href="#"><u>1</u></a>	Chapter 13 Voluntary Petition, Schedules A-J & Statement of Financial Affairs Fee Amount \$ 274.00 filed by Steven R. Houbeck on behalf of Trina Nadi. Declaration re: ECF due by 10/30/2008, (Houbeck, Steven) (Entered: 10/15/2008)

B 203  
(12/94)UNITED STATES BANKRUPTCY COURT  
Southern District of CaliforniaIn re: Trina Nadi

Debtor

Case No. \_\_\_\_\_

Chapter 13DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>3,300</u>
Prior to the filing of this statement I have received	\$	<u>500</u>
Balance Due	\$	<u>2,800.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]

**Prepetition case preparation and planning, electronic filing, and one (1) 341(a) hearing attendance.**

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**Representation of the debtors in any dischargeability actions, stay violations, judicial lien avoidances, contested matters, abandonment of assets, relief from stay actions or any other adversary proceeding, negotiations with secured creditors to reduce to market value; reaffirmation agreements, redemptions, objections to exceptions; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods or real estate, amendments, 2004 examinations, application to reopen case, chapter conversion, appeals, objections to proof of claim, and retrieval of closed files from storage.**

## CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 10/15/2008

/s/Steven R. Houbeck  
Steven R. Houbeck, Esq., Bar No. 168018

Steven R. Houbeck, Esq.  
Attorney for Debtor(s)

CSD 1177 [11/03/08]

Name, Address, Telephone No. &amp; I.D. No.

Steven R. Houbeck CSB#168018  
PO Box 150  
Cardiff, CA 92007-0150  
619-463-4357

Order Entered on  
April 21, 2009  
by Clerk U.S. Bankruptcy Court  
Southern District of California

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
325 West "F" Street, San Diego, California 92101-6991

In Re

TRINA NADI

BANKRUPTCY NO. 08-10226-T13

Debtor.

**APPLICATION FOR COMPENSATION AND CONFIRMATION OF  
CHAPTER 13 PLAN; AND ORDER THEREON**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 2 pages, is granted.

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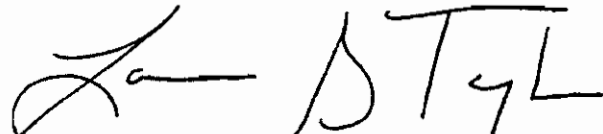
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DATED: April 20, 2009

Signature by the attorney constitutes a certification under  
Fed. R. of Bankr. P. 9011 that the relief in the order is the  
relief granted by the court.

  
Judge, United States Bankruptcy Court

Submitted by:

Houbeck & Associates  
(Firm name)

By: /s/ Steven R. Houbeck  
Attorney for Debtor(s)

CSD 1177

EXHIBIT 5

**I. APPLICATION FOR CONFIRMATION AND ALLOWANCE OF COMPENSATION:**

The undersigned attorney for the above-referenced Debtor(s):

- A. Represents that the Section 341(a) meeting is concluded in this chapter 13 case and that the Debtor(s) Plan, as that term is defined in paragraph II(A) below, complies with Section 1322 and 1325(a) of the Bankruptcy Code.
- B. Represents that a Rights and Responsibility Statement was signed by the Debtor(s) and filed in this chapter 13 case on 10/15/09 and that the fees set forth in paragraph I(C) do not exceed the applicable presumptive guideline fees as established by General Order 173 of this Court.
- C. Represents that the paid and unpaid attorneys' fees and costs in this case are as follows:
  - 1. The agreed initial fee for attorney services: \$ 3,300.00;
  - 2. Additional fees not part of initial fee: \$ 450.00;  
 (Specify referencing any relief from stay or adversary proceeding number as relevant):  
 Relief from stay hearing on auto on 02/24/09
  - 3. Total fees received to date: \$ 500.00;
  - 4. Total unpaid balance of fees: \$ 3,250.00;
- D. Requests that this Court:
  - 1. Confirm the Debtor(s) Plan; and
  - 2. Allow fees as set forth in paragraph I(C) above.

**II. ORDER CONFIRMING DEBTOR(S) PLAN AND ALLOWING ATTORNEYS FEES**

Upon considering the foregoing application, IT IS HEREBY ORDERED THAT:

- A. The debtor(s) plan dated 02/25/09 and, if applicable, as amended by pre-confirmation modification(s) dated not applicable ("Debtor(s) Plan") is confirmed.
- B. Attorneys' fees and costs are allowed as set forth in paragraph I(C) above, and any unpaid fees shall be paid as provided for in the Debtor(s) Plan.

Approved as to form and content by Chapter 13 Trustee submission of this Order: /s/David L. Skelton

April 27, 2009

TO: DAWN

Fax # 619-239-5242

FROM: TRINA Nadi

Phone 619-788-9807

RE: CASE # 0810226-T-13

Chapter 13.

RECEIPT

DATE 10-2-08 No. 103838

FROM Trina Nadi \$180

\_\_\_\_\_ DOLLARS

☐ FOR RENT legal

☐ FOR \_\_\_\_\_

ACCT.	<u>2,400</u>	-
PAID	<u>180</u>	-
DUE	<u>2,220</u>	-

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY [Signature]

2501

RECEIPT

DATE 10-7-08 No. 103840

FROM Trina Nadi \$1,000

\_\_\_\_\_ DOLLARS

☐ FOR RENT legal

☐ FOR \_\_\_\_\_

ACCT.	<u>2220</u>	-
PAID	<u>1000</u>	-
DUE	<u>1220</u>	-

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY [Signature]

2501

RECEIPT

DATE 10-15-08 No. 103843

FROM Trina Nadi \$1,000

\_\_\_\_\_ DOLLARS

☐ FOR RENT legal (DISCOUNT)

☐ FOR \_\_\_\_\_

ACCT.	<u>1,000</u>	-
PAID	<u>1,000</u>	-
DUE	<u>0</u>	-

☐ CASH ☐ CHECK ☐ MONEY ORDER

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY [Signature]

2501

I also gave him 400.00 CASH,  
 he didn't give me a Receipt.  
 I owe him \$50.00 for car charges



DebtEd

**U.S. Bankruptcy Court  
Southern District of California (San Diego)  
Bankruptcy Petition #: 08-04626-LT13**

Date filed: 05/28/2008

Assigned to: Judge Laura S. Taylor  
Chapter 13  
Voluntary  
Asset

**Debtor**

**Donald R Soucy**  
11651 Wills Creek Road  
San Diego, CA 92131  
SSN / ITIN: xxx-xx-6006

represented by **Steven R. Houbeck**

PO Box 150  
Cardiff, CA 92007  
619-463-4357  
Email: Cicero68@AOL.com

**Trustee**

**David L. Skelton**  
525 B St., Suite 1430  
San Diego, CA 92101-4507  
619-338-4006

Filing Date	#	Docket Text
05/11/2009	<a href="#"><u>71</u></a>	Notice of Intent to Reconsider and Reallow Proof of Claim re Court Claim #2 ( <i>Aurora Loan Services</i> ) and Certificate of Service. filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 5/13/2009 (McGrew, J.). (Entered: 05/11/2009)
05/08/2009	<a href="#"><u>70</u></a>	Proof of Service ( <i>re Order, RS #PD-1</i> ) filed by Christopher M. McDermott on behalf of Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns. (related documents <a href="#"><u>65</u></a> Order re: Motion for Relief from Stay) (McDermott, Christopher). Modified on 5/13/2009 (McGrew, J.). (Entered: 05/08/2009)
04/23/2009	<a href="#"><u>69</u></a>	Declaration of <i>Steven Houbeck</i> filed by Steven R. Houbeck on behalf of Donald R Soucy. (Attachments: # <a href="#"><u>1</u></a> Proof of Service) (Houbeck, Steven). Modified on 4/30/2009 (McGrew, J.). (Entered: 04/23/2009)
		Certificate of Mailing on ORDER: I hereby certify that a copy of

EXHIBIT 7

04/15/2009	● 68	the Order was mailed this date to the Attorney for Movant (Shakibi), Trustee, Debtor, and Attorney for Debtor (Houbeck), at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>67</u> Order re: Motion for Relief from Stay, RS #RCO-1) (McGrew, J.) (Entered: 04/15/2009)
04/15/2009	● 67	Order GRANTING Noncontested Motion for Relief from Stay (Real Property) (RS #RCO-1 by Countrywide Home Loans Servicing, LP) (Related Doc # <u>62</u> ) signed on 4/15/2009. (McGrew, J.) (Entered: 04/15/2009)
04/02/2009	● 66	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Attorney for Movant (McDermott), Trustee, Debtor, and Attorney for Debtor (Houbeck), at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>65</u> Order re: Motion for Relief from Stay, RS #PD-1) (McGrew, J.) (Entered: 04/02/2009)
04/02/2009	● 65	Order GRANTING Noncontested Motion for Relief from Stay (Real Property) (RS #PD-1 by Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns) (Related Doc # <u>57</u> ) signed on 4/2/2009. (McGrew, J.) (Entered: 04/02/2009)
03/24/2009	64	Receipt of Motion for Relief from Stay(08-04626-LT13) [motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt number 4095194. (U.S. Treasury) (Entered: 03/24/2009)
03/24/2009	● 63	Notice of Filing of a Motion for Relief from Automatic Stay RS # RCO-1 filed by Kathy Shakibi on behalf of Countrywide Home Loans Servicing, LP. Notice of Filing of Motion for Relief from Stay Served On: 3/24/2009. Request for Hearing & Opposition due by: 04/7/2009 (related documents <u>62</u> Motion for Relief from Stay) (Shakibi, Kathy) (Entered: 03/24/2009)
03/24/2009	● 62	Motion for Relief from Stay, RS #RCO-1 ( <i>Real Property: 4538 Hearts Desire Ave, Las Vegas NV 89115</i> ). Fee Amount \$150. filed by Kathy Shakibi on behalf of Countrywide Home Loans Servicing, LP (Attachments: # <u>1</u> Declaration in Support; # <u>2</u> Exhibit A; # <u>3</u> Exhibit B; # <u>4</u> Exhibit C; # <u>5</u> Exhibit D; # <u>6</u> Exhibit E; # <u>7</u> Exhibit F) (Shakibi, Kathy). Modified on 3/25/2009 (McGrew, J.). (Entered: 03/24/2009)
		Receipt of Motion for Relief from Stay(08-04626-LT13) [motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt



03/14/2009	61	number 4074955. (U.S. Treasury) (Entered: 03/14/2009)
03/13/2009	60	Request for Special Notice filed by Christopher M. McDermott on behalf of Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns. (McDermott, Christopher) (Entered: 03/13/2009)
03/13/2009	59	Declaration in Support of <i>Motion for Relief from Automatic Stay, RS #PD-1</i> filed by Christopher M. McDermott of Pite Duncan, LLP on behalf of Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns. (Attachments: # <u>1</u> Exhibit A - Note; # <u>2</u> Exhibit B - Deed of Trust; # <u>3</u> Exhibit C - Chapter 13 Plan; # <u>4</u> Exhibit D - Post Petition Payment History; # <u>5</u> Exhibit E - Schedules) (related documents <u>57</u> Motion for Relief from Stay, <u>58</u> Notice of filing of Motion for Relief from Stay) (McDermott, Christopher). Modified on 3/16/2009 (McGrew, J.). (Entered: 03/13/2009)
03/13/2009	58	Notice of Filing of a Motion for Relief from Automatic Stay RS # PD-1 filed by Christopher M. McDermott on behalf of Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns. Notice of Filing of Motion for Relief from Stay Served On: 3/13/2009. Request for Hearing & Opposition due by: 03/27/2009 (related documents <u>57</u> Motion for Relief from Stay) (McDermott, Christopher) (Entered: 03/13/2009)
03/13/2009	57	Motion for Relief from Stay, RS #PD-1 ( <i>Real Property: 4538 Hearts Desire Avenue, Las Vegas NV 89115</i> ). Fee Amount \$150. filed by Christopher M. McDermott on behalf of Aurora Loan Services LLC, as servicing agent for Mortgage Electronic Registration Systems, Inc., Solely as Nominee For AEGIS Wholesale Corporation, its successors and/or assigns (McDermott, Christopher). Modified on 3/16/2009 (McGrew, J.). (Entered: 03/13/2009)
03/05/2009	56	Court Certificate of Mailing - BNC (related documents <u>55</u> Assignment/Transfer of Claim) Service Date 03/07/2009. (Admin.) (Entered: 03/07/2009)
03/03/2009	55	Assignment/Transfer of Claim. Transfer Agreement 3001 (e) 2 Transferor: Chase Bank USA NA (Claim No. 12) To eCAST Settlement Corporation Re: Court Claim # 12 filed by Alane A Becket on behalf of eCAST Settlement Corporation.(Becket, Alane) (Entered: 03/03/2009)

02/17/2009	● <u>54</u>	Request for Special Notice filed by Edward T. Weber on behalf of Countrywide Home Loans Servicing, LP. (Weber, Edward) (Entered: 02/17/2009)
12/17/2008	● <u>53</u>	Court Certificate of Mailing - BNC (related documents <u>52</u> Assignment/Transfer of Claim, ) Service Date 12/19/2008. (Admin.) (Entered: 12/19/2008)
12/16/2008	● <u>52</u>	Assignment/Transfer of Claim. Transfer Agreement 3001 (e) 2 Transferor: LVNV Funding LLC its successors and assigns as (Claim No. 3) To Portfolio Recovery Assocs., LLC Re: Court Claim # 3 filed by PRA Receivables Management, LLC (Portfolio Recovery Associates, ) (Entered: 12/16/2008)
12/03/2008	● <u>51</u>	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>50</u> Order re: Motion for Relief from Stay) (Braxton, F.) (Entered: 12/04/2008)
12/03/2008	● <u>50</u>	Order GRANTING Noncontested Motion for Relief from Stay (Real Property) (RS #RMP-2 by Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC) (Related Doc # <u>33</u> ) signed on 12/3/2008. (Braxton, F.). Modified on 1/29/2009 (McGrew, J.). (Entered: 12/04/2008)
11/22/2008	● <u>49</u>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Court Claim #14 - Citimortgage Inc</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 1/29/2009 (McGrew, J.). (Entered: 11/22/2008)
11/18/2008	● <u>48</u>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Court Claim #14 - CitiMortgage Inc</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 11/20/2008 (McGrew, J.). (Entered: 11/18/2008)
		<i>Amended</i> Notice of Filing of a Motion for Relief from Automatic Stay RS # RMP-2 filed by Julia Szafraniec on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC. Notice of Filing of Motion for Relief from Stay Served On: 11/6/2008. Request for

11/06/2008	<a href="#">47</a>	Hearing & Opposition due by: 11/20/2008 (related documents <a href="#">33</a> Motion for Relief from Stay,, <a href="#">34</a> Notice of filing of Motion for Relief from Stay,, ) (Szafraniec, Julia) (Entered: 11/06/2008)
10/17/2008	<a href="#">46</a>	Substitution of Attorney: Julia Szafraniec Substituted as Attorney for Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC; Involvement of Renee M. Parker Terminated. filed by Julia Szafraniec on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC. (Szafraniec, Julia). Modified on 10/20/2008 (McGrew, J.). (Entered: 10/17/2008)
10/17/2008	<a href="#">45</a>	Substitution of Attorney: Julia Szafraniec Substituted as Attorney for Mortgage Electronic Registration Systems, Inc. as nominee for Winstar Mortgage Partners, Inc., its assignees and/or successors, and servicing agent Aurora Loan Services LLC; Involvement of Renee M. Parker Terminated. filed by Julia Szafraniec on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC. (Szafraniec, Julia). Modified on 10/20/2008 (McGrew, J.). (Entered: 10/17/2008)
10/09/2008	<a href="#">44</a>	Court Certificate of Mailing - BNC (related documents <a href="#">43</a> Notice of Claims Filed and Intention to Pay Claims) Service Date 10/11/2008. (Admin.) (Entered: 10/11/2008)
10/09/2008	<a href="#">43</a>	Notice of Claims Filed and Intention to Pay Claims. (Skelton, David) (Entered: 10/09/2008)
09/26/2008	<a href="#">42</a>	Notice of Intent to Reconsider and Reallow Proof of Claim and Certificate of Service. ( <i>re Clm #C9/TR0003 - Aurora Loan Services LLC</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 9/29/2008 (McGrew, J.). (Entered: 09/26/2008)
09/18/2008	<a href="#">41</a>	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Trustee, Debtor, and Attorney for Debtor (Houbeck), at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <a href="#">40</a> Application and Order Confirming Plan and Allowing Attorney Fees) (McGrew, J.) (Entered: 09/18/2008)
		Order Confirming Plan and Allowing Attorney's Fees;



09/18/2008	● <u>40</u>	Application for Confirmation of Plan (GRANTED) signed on 9/18/2008. (McGrew, J.) (Entered: 09/18/2008)
09/12/2008	● <u>39</u>	Pre-Confirmation Modification to Chapter 13 Plan. ( <i>Ch 13 Plan Modification dated 8/27/08</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (related document <u>2</u> Chapter 13 Plan) (Skelton 5, David). Modified on 9/17/2008 (McGrew, J.). (Entered: 09/12/2008)
09/10/2008	● <u>38</u>	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Attorney for Movant (Parker), Trustee, Debtor, and Attorney for Debtor (Houbeck), at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>37</u> Order re: Motion for Relief from Stay, RS #RMP-1) (McGrew, J.) (Entered: 09/10/2008)
09/10/2008	● <u>37</u>	Order GRANTING Noncontested Motion for Relief from Stay (Real Property) (RS #RMP-1 by Mortgage Electronic Registration Systems, Inc. as nominee for Winstar Mortgage Partners, Inc., its assignees and/or successors, and servicing agent Aurora Loan Services LLC) (Related Doc # <u>24</u> ) signed on 9/10/2008. (McGrew, J.) (Entered: 09/10/2008)
09/05/2008	● <u>36</u>	Notice Taking Matter Off Calendar ( <i>re Trustee's Objection to Confirmation of Plan</i> ). Hearing Date and Time: 09/10/2008 at 11:00. Dept: 2 filed by David L. Skelton 5 on behalf of David L. Skelton. (related documents <u>14</u> Objection to Confirmation of Chapter 13 Plan (Skelton 5, David). Modified on 9/5/2008 (McGrew, J.). (Entered: 09/05/2008)
09/04/2008	35	Receipt of Motion for Relief from Stay (08-04626-LT13) [motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt number 3510122. (U.S. Treasury) (Entered: 09/04/2008)
09/04/2008	● <u>34</u>	Notice of Filing of a Motion for Relief from Automatic Stay RS #RMP-2 filed by Renee M. Parker on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC. Notice of Filing of Motion for Relief from Stay Served On: 9/3/2008. Request for Hearing & Opposition due by: 9/17/2008. (related documents <u>33</u> Motion for Relief from Stay) (Parker, Renee). (*COURT NOTE: Pgl/Atty signature date 9/4/08, Pg 2/Service Date 9/3/08 - Called Atty Parker/Left msg 9/9/08 re Amended Ntc requested). Modified on 9/9/2008, 9/22/2008 (McGrew, J.). (Entered: 09/04/2008)

09/04/2008	● 33	Motion for Relief from Stay, RS #RMP-2 ( <i>Real Property: 5325 Franklin Grove St, North Las Vegas NV 89081</i> ). Fee Amount \$150 filed by Renee M. Parker on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Lehman Brothers Bank, FSB, its assignees and/or successors and the servicing agent Aurora Loan Services LLC (Attachments: # <u>1</u> Declaration in Support; # <u>2</u> Exhibit) (Parker, Renee). Modified on 9/5/2008 (McGrew, J.). (Entered: 09/04/2008)
09/03/2008	● 32	Declaration of Compliance; Local Rule 3015-6 filed by David L. Skelton 5 on behalf of David L. Skelton. (related documents <u>16</u> Objection to Confirmation of Chapter 13 Plan, <u>14</u> Objection to Confirmation of Chapter 13 Plan) (Skelton 5, David). Modified on 9/5/2008 (McGrew, J.). (Entered: 09/03/2008)
08/29/2008	● 31	Amended Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Clm #C9/TR0003 - Aurora Loan Services LLC</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 9/22/2008 (McGrew, J.). (Entered: 08/29/2008)
08/27/2008	● 30	<b>Minute Order. Hearing DATE: 08/27/2008, MATTER: TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN. DISPOSITION: See Attached PDF document for details.</b> (vCal Hearing ID (68414)). <b>HEARING Scheduled for 09/10/2008 at 11:00 AM at Courtroom 2, Room 118, Weinberger Courthouse</b> (related documents <u>14</u> Objection to Confirmation of Chapter 13 Plan) (Wilkinson, M.) (Entered: 08/27/2008)
08/26/2008	● 29	Amendment to <i>Schedule E</i> & Certificate of Service. filed by Steven R. Houbeck on behalf of Donald R Soucy. (Attachments: # <u>1</u> Amended Schedule E) (Houbeck, Steven). Modified on 9/22/2008 (McGrew, J.). (Entered: 08/26/2008)
08/22/2008	● 28	Declaration of Compliance; Local Rule 3015-6 (related documents <u>16</u> Objection to Confirmation of Chapter 13 Plan, <u>14</u> Objection to Confirmation of Chapter 13 Plan) filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 08/22/2008)
08/20/2008	● 27	Declaration of Compliance; Local Rule 3015-6 filed by David L. Skelton 5 on behalf of David L. Skelton. (related document <u>16</u> Objection to Confirmation of Chapter 13 Plan, <u>14</u> Objection to Confirmation of Chapter 13 Plan) (Skelton 5, David). Modified on 8/21/2008 (McGrew, J.). (Entered: 08/20/2008)
		Receipt of Motion for Relief from Stay (08-04626-LT13)

08/04/2008	26	[motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt number 3452944. (U.S. Treasury) (Entered: 08/04/2008)
08/04/2008	25	Notice of Filing of a Motion for Relief from Automatic Stay RS # RMP-1 filed by Renee M. Parker on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Winstar Mortgage Partners, Inc., its assignees and/or successors, and servicing agent Aurora Loan Services LLC. Notice of Filing of Motion for Relief from Stay Served On: 8/4/2008. Request for Hearing & Opposition due by: 8/18/2008 (related documents <u>24</u> Motion for Relief from Stay, ) (Parker, Renee) (Entered: 08/04/2008)
08/04/2008	24	Motion for Relief from Stay, RS #RMP-1 ( <i>Real Property: 8963 Capcano Road, San Diego CA 92126</i> ). Fee Amount \$150. filed by Renee M. Parker on behalf of Mortgage Electronic Registration Systems, Inc. as nominee for Winstar Mortgage Partners, Inc., its assignees and/or successors, and servicing agent Aurora Loan Services LLC (Attachments: # <u>1</u> Declaration of Kathy Jent; # <u>2</u> Exhibit) (Parker, Renee). Modified on 8/5/2008 (McGrew, J.). (Entered: 08/04/2008)
07/23/2008	23	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Clm #C6/TR0002 - Aurora Loan Services</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 7/23/2008 (McGrew, J.). (Entered: 07/23/2008)
07/21/2008	22	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Clm #C4/TR0003 - Aurora Loan Services LLC</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 7/22/2008 (McGrew, J.). (Entered: 07/21/2008)
07/01/2008	21	Court Certificate of Mailing - BNC (related documents <u>17</u> Notice of Hearing on Objection to Confirmation of Chapter 13 Plan, ) Service Date 07/03/2008. (Admin.) (Entered: 07/03/2008)
07/01/2008	20	Court Certificate of Mailing - BNC (related documents <u>16</u> Objection to Confirmation of Chapter 13 Plan) Service Date 07/03/2008. (Admin.) (Entered: 07/03/2008)
		Amended Notice of Hearing on Objection to Confirmation of Chapter 13 Plan. Filed by David L. Skelton on behalf of David L. Skelton -- <b>HEARING Scheduled for 08/27/2008 at 10:00AM at Courtroom 4, Room 328 Jacob Weinberger U.S. Courthouse</b> (related document <u>16</u> Objectionto Confirmation of Chapter 13 Plan) (Skelton, David) (Entered: 07/01/2008). Modified on



07/01/2008	<a href="#"><u>17</u></a>	7/2/2008 (McGrew, J.). (Entered: 07/01/2008)
07/01/2008	<a href="#"><u>16</u></a>	Amended Objection to Confirmation of Chapter 13 Plan. (related document 2 Chapter 13 Plan) filed by David L. Skelton on behalf of David L. Skelton (Skelton, David) (Entered: 07/01/2008). Modified on 7/2/2008 (McGrew, J.). (Entered: 07/01/2008)
06/30/2008	<a href="#"><u>19</u></a>	Court Certificate of Mailing - BNC (related documents <a href="#"><u>15</u></a> Notice of Hearing on Objection to Confirmation of Chapter 13 Plan, ) Service Date 07/02/2008. (Admin.) (Entered: 07/02/2008)
06/30/2008	<a href="#"><u>18</u></a>	Court Certificate of Mailing - BNC (related documents 14 Objection to Confirmation of Chapter 13 Plan) Service Date 07/02/2008. (Admin.) (Entered: 07/02/2008)
06/30/2008	<a href="#"><u>15</u></a>	Notice of Hearing on Objection to Confirmation of Chapter 13 Plan. Filed by David L. Skelton on behalf of David L. Skelton -- <b>HEARING Scheduled for 08/27/2008 at 10:00AM at Courtroom 4, Room 328 Jacob Weinberger U.S. Courthouse.</b> (related document <a href="#"><u>14</u></a> Objection to Confirmation of Chapter 13 Plan ) (Skelton, David) (Entered: 06/30/2008). Modified on 7/2/2008 (McGrew, J.). (Entered: 06/30/2008)
06/30/2008	<a href="#"><u>14</u></a>	Objection to Confirmation of Chapter 13 Plan. (related document 2 Chapter 13 Plan ) filed by David L. Skelton on behalf of David L. Skelton (Skelton, David) (Entered: 06/30/2008) (Entered: 06/30/2008)
06/13/2008	<a href="#"><u>13</u></a>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. ( <i>Clm #C2/TR0001 - Aurora Loan Services</i> ) filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David). Modified on 6/26/2008 (McGrew, J.). (Entered: 06/13/2008)
06/11/2008	<a href="#"><u>12</u></a>	Proof of Service ( <i>re Proof of Claim #2 &amp; Request for Special Notice</i> ) (related documents <a href="#"><u>11</u></a> Request for Special Notice) filed by Josephine E. Piranio on behalf of Aurora Loan Services, LLC. (Piranio, Josephine). Modified on 6/12/2008 (McGrew, J.). (Entered: 06/11/2008)
06/11/2008	<a href="#"><u>11</u></a>	Request for Special Notice filed by Josephine E. Piranio on behalf of Aurora Loan Services, LLC. (Piranio, Josephine) (Entered: 06/11/2008)
05/29/2008	<a href="#"><u>10</u></a>	Court Certificate of Mailing - BNC (related documents 2 Chapter 13 Plan) Service Date 05/31/2008. (Admin.) (Entered: 05/31/2008)

05/29/2008	9	Court Certificate of Mailing - BNC (related documents 7 Meeting of Creditors, ) Service Date 05/31/2008. (Admin.) (Entered: 05/31/2008)
05/28/2008	8	Rights and Responsibilities of Chapter 13 Debtors and their Attorney filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	7	Meeting of Creditors & Notice of Appointment of Interim Trustee David L. Skelton with <b>341(a) meeting to be held on 06/27/2008 at 03:00 PM at 402 W. Broadway, Sixth Floor, Suite 630 San Diego, CA 92101.</b> Complaint to determine dischargeability of certain debts deadline: 08/26/2008. Proof of Claim due by 09/25/2008. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	6	Receipt of Chapter 13 Voluntary Petition(08-04626-13) [misc,1305u] ( 274.00) Filing Fee. Fee Amount 274.00 Receipt number 3322270. (U.S. Treasury) (Entered: 05/28/2008)
05/28/2008	5	Receipt of Statement of Social Security Number COURT NOTE: The PDF document is a secured image. filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	4	Declaration Re: Electronic Filing filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	3	Certificate of Credit Counseling for Debtor filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	2	Chapter 13 Plan filed by Steven R. Houbeck on behalf of Donald R Soucy. (Houbeck, Steven) (Entered: 05/28/2008)
05/28/2008	1	Chapter 13 Voluntary Petition, Schedules A-J & Statement of Financial Affairs Fee Amount \$ 274.00 filed by Steven R. Houbeck on behalf of Donald R Soucy. Declaration re: ECF due by 6/12/2008, (Houbeck, Steven) (Entered: 05/28/2008)



B 203  
(12/94)UNITED STATES BANKRUPTCY COURT  
Southern District of CaliforniaIn re: Donald R Soucy

Debtor

Case No.  
Chapter13DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>3,300</u>
Prior to the filing of this statement I have received	\$	<u>1,000</u>
Balance Due	\$	<u>2,300.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]

**None**

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**None**

## CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 5/28/2008

/s/Steven R. Houbeck

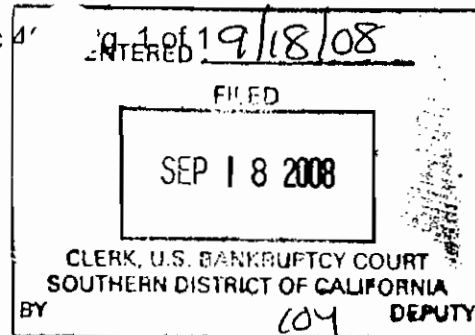
Steven R. Houbeck, Esq., Bar No. 168018

Steven R. Houbeck, Esq.

Attorney for Debtor(s)

Case 0' 326-LT13 Filed 09/18/08 Doc 4'  
 Steven R. Houpeck CSB#168018  
 P.O. Box 150  
 Cardiff, CA 92007  
 619-463-4357

UNITED STATES BANKRUPTCY COURT  
 Southern District of California



Re: ) CHAPTER 13  
 ) Case No. 08-04626-713  
 )  
 ) APPLICATION FOR CONFIRMATION OF PLAN;  
 ) ORDER CONFIRMING PLAN AND ALLOWING  
 ) ATTORNEY FEES  
 Debtor(s) )

I APPLICATION FOR CONFIRMATION AND DISCLOSURE OF COMPENSATION

The undersigned attorney for Debtor(s) herein represents:

1. The Section 341(a) meeting is concluded and the plan complies with Sections 1322 and 1325(a). A Rights and Responsibilities document has been filed if fees are requested below. If fees exceed guideline fees, a fee application must be filed and paragraph 2d below should state "fee application". **RR# 8**
2. a. The agreed initial fee for attorney services: \$ 3,300 -;  
 b. Additional fees not part of initial fee: \$ \_\_\_\_\_;  
 (Specify: \_\_\_\_\_)  
 c. Total fees received to date: \$ 1,000 -;  
 d. Total unpaid balance of guideline fees: \$ 2,300 -.
3. Wherefore, the undersigned prays that the debtor(s) plan be confirmed and guideline attorney fees be allowed in the amount set forth.

Dated: 5/28/08

Attorney for Debtor(s):

(Printed name and signature)

II ORDER CONFIRMING DEBTOR(S) PLAN AND ALLOWING ATTORNEY FEES

Upon considering the foregoing application IT IS HEREBY ORDERED THAT:

1. The debtor(s) plan dated 5/28/08 as amended by pre-confirmation modification(s) dated 8/27/08 is confirmed.
2. The guideline attorney fees are allowed as requested, with the unpaid balance to be paid as provided in the plan; no further fees to be allowed for the same services.

Dated: September 18, 2008

Bankruptcy Judge

**ORIGINAL**

EXHIBIT 9

*Crop*

April 1, 2009

Donald R Soucy  
11651 Wills Creek Road  
San Diego, CA 92131

2009 APR -6 AM 8:28

U.S. Trustee  
402 West Broadway, Suite 600  
San Diego, CA. 92101

From: Donald R Soucy  
RE: Case # 0804626-Soucy

113

Dear U.S. Trustee,

It has come to my attention looking at the bankruptcy website for my claim that, as shown on my report statement, item number 799 for \$2300 paid to my attorney, Mr. Steve Houbeck #168018, on 11/2008 may be a duplicate payment and I would like clarification regarding this payment and the balance due him of \$1000. I paid my attorney fees in advance of him taking my case in May of 2008.

Mr. Houbeck charged me a flat fee of \$2,574.00 for his services and, as you can see on the enclosed documents, got paid his fee in the full amount he requested from me. I was never told nor was any inference made that additional monies would be paid to him out of my trustee payments the total of which represents 5½ payments to the trustee for my case. It is my hope that the additional payment and balance due are an error on the part of Mr. Houbeck and that you will be able to clarify that with the records that I have supplied to the court via this mailing.

Please, notify me about any decision made regarding this issue via mail at my address above or by phone at 858-653-6767.

Sincerely,

  
Donald R Soucy



<b>Donald R Soucy</b> 11651 Wills Creek Road San Diego, CA 92131		0118 90-8157/3222
Date <u>May 1, '08</u>		
Pay to the order of <u>Steven Houbek</u>		\$ <u>2,574.00</u>
<u>Twenty Thousand Five Hundred and 74/100</u>		Dollars
CALIFORNIA COAST CREDIT UNION		
For <u>Donald R Soucy</u>		0118

PAY TO THE ORDER OF BANK OF AMERICA SAN FRANCISCO, CA 94137 050508	ECE DEPOSIT ONLY STEVEN R. HOUBECK 050508	DO NOT SIGN / WRITE / STAMP BELOW THIS LINE
---	---	---

Date:05-05-2008 Member Number:755519 Sequence/Trace #:5130 Amount:\$2,574.00 Debit/Credit:D Acct/MICR or TLR#:1909 XP Format SDC#:1909 Member Account:0000 Transit/Routing:1578 Check Number:118 TranCode:0 Employee Account Flag:0 Institution ID:0 VISA Card Number:-



**U.S. Department of Justice**  
**United States Trustee**  
**Southern District of California**

402 West Broadway, Suite 600 619-557-5013  
San Diego, CA 92101-8511 FAX 619-557-5339

April 9, 2009

**VIA EMAIL AND MAIL**

**Cicero68@aol.com**

Steven R. Houbeck

P.O. Box 150

Cardiff, CA 92007

**Re: Attorney Fee Discrepancy: Godwin, 08-06198-LT13**  
**Soucy, 08-04626-LT13**

Dear Mr. Houbeck:

The United States Trustee's Office received letters from the debtors, Donald R. Soucy (Case No. 08-04626-LT13) and Silvia N. Godwin (Case No. 08-06198-LT13) regarding the discrepancy in the amount of attorney fees that were already paid to you.

Mr. Soucy explains in the letter that he paid you \$2,574.00 for your services pre-petition. He enclosed a copy of the canceled check payable to you for the amount \$2,574. The check is dated May 1, 2008, and the bank notation indicates that the check was cleared May 5, 2008. Thus, you appeared to have received \$2,574 pre-petition since the case was commenced on May 28, 2008. However, the order confirming the plan discloses that you received a total of \$1,000 in fees.

Ms. Godwin explains in the letter that she paid you \$2,000 and \$200 pre-petition. She enclosed a copy of two canceled checks payable to you: (1) One in the amount of \$2,774, dated May 1, 2008, and bank notation indicating that it was cleared on May 5, 2008; and (2) second check in the amount of \$200, dated January 6, 2008, and bank notation indicating that it was cleared on January 13, 2009. The debtor also explained that she believed there is another check for \$250 that has been issued to you but did not attach a copy of that check. The order confirming the plan, however, indicates that you disclosed that you received \$1,300 in fees prior to confirmation.

**Combined with the recent inconsistency uncovered in Hiltman, 08-06750, these discrepancies are serious matters. The Office of the United States Trustee demands immediate action and explanation to be made to the court.**

Steven R. Houbeck

Page 2

April 9, 2009

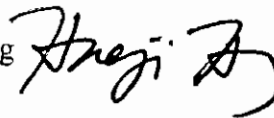
Fraudulent misrepresentation to the court is unacceptable and can be sanctionable pursuant to FRBP 9011. Immediately file a declaration with the court in both (1) Soucy 08-04626-LT13 and (2) Godwin 08-06198-LT13 cases addressing: (a) explanation for inconsistent disclosures in these cases; (b) steps taken to refund the clients the amounts in excess of \$3,300 in total fees for each case; and (c) supporting documents such as receipt and/or declaration from the debtors that they received the fees that were paid in excess. These steps should be taken by **April 17, 2009**.

In addition to the above actions, please forward a list of cases in which you have filed bankruptcy cases since May 2008. The list should include the following information: (1) the amount of fees you have actually received from each debtor; (2) a copy of the retainer agreement for each case that indicates what the clients understood the fees to be; (3) your books and records, including bank statements, client trust account statements, accounting records, that show accounting of fees you received from the debtors that correspond to the disclosure of fees you made with the court. Please provide this list by **April 24, 2009**.

**If you do not take these actions immediately, the Office of the United States Trustee may take other appropriate actions.**

Sincerely,

/s/ Haeji Hong



Haeji Hong,

Trial Attorney for the Acting United States Trustee

cc: Tiffany L. Carroll, Acting United States Trustee  
David L. Skelton, Chapter 13 Trustee  
Thomas Billingslea, Chapter 13 Trustee



1 Steven R. Houbeck, Esq. #168018  
2 Attorney at Law  
3 P.O. Box 150  
4 Cardiff, CA 92007  
5 619-463-4357

6 Attorney for Debtor

7 UNITED STATES BANKRUPTCY COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA

9  
10 In re: DONALD SOUCEY ) Case # 08-04626-T13  
11 SILVIA N. GODWIN ) Case # 08-06198-T13  
12 ) DECLARATION OF  
13 ) STEVEN HOUBECK  
14 ) Date:  
15 ) Time:  
16 ) Dept:

17 I, Steven Houbeck, the attorney in the above entitled cases, declare:

18 1. Mr. Soucey and Ms. Godwin presented themselves together to the undersigned  
19 sometime in April 2008 to discuss some joint legal issues they were having.

20 2. It has come to my attention from Ms. Haeji Hong of the UST that the debtors have  
21 questions concerning the attorney fees and monies held in trust. I have tried to engage in  
22 meaningful communication with my clients regarding their concerns to no avail. Mr. Soucey  
23 claims that someone from Mr. Skelton's office told them not to speak with me and will not meet  
24 with me in person to discuss the situation. Ms. Godwin refuses to respond to numerous phone  
25 calls and emails I have sent her. Both refuse to cooperate or provide any meaningful  
26 communication to me for their case.

27 3. I indicated this to Ms. Hong and requested a copy of the correspondence Debtors sent  
28 to the UST so I would know what the problem was. Ms. Hong indicated in an email that I would  
have to make a formal request under the Freedom of Information Act. I am not sure how to do  
that and I believe it would take a very long time.

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2 covered the filing fee; \$55 for the credit check; and \$1245 placed in trust as adequate protection  
3 payments pursuant to Bankruptcy Code section 523(a)(16) and In re Lenz 90 BR 458; 110 BR  
4 523. Those funds remain in trust.

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10 returned to the debtors with admonishments as to the consequences of the release. Without the  
11 debtors cooperation and communication, I am concerned that their failings will result in dire  
12 consequences in the future of which I cannot discuss due to attorney client privilege.

13  
14  
15 UNDER PENALTY OF PERJURY, I DECLARE THE FOREGOING TO BE TRUE AND CORRECT TO THE  
16 BEST OF MY KNOWLEDGE AND BELIEF.

17  
18  
19 DATED:04-23-09

/s/Steven R. Houbeck  
STEVEN R. HOUBECK  
ATTORNEY FOR DEBTOR(S)



DebtEd

**U.S. Bankruptcy Court  
Southern District of California (San Diego)  
Bankruptcy Petition #: 08-06198-LT13**

Date filed: 07/03/2008

Assigned to: Judge Laura S. Taylor  
Chapter 13  
Voluntary  
Asset

**Debtor**

**Silvia N. Godwin**  
11651 Wills Creek Road  
San Diego, CA 92131  
SSN / ITIN: xxx-xx-7818

**aka****Silvia N. Mirochnik****aka****Silvia Soucy****aka****Silvia Godwin-Soucy**represented by **Steven R. Houbeck**

PO Box 150  
Cardiff, CA 92007  
619-463-4357  
Email: Cicero68@AOL.com

**Trustee**

**David L. Skelton**  
525 B St., Suite 1430  
San Diego, CA 92101-4507  
619-338-4006

Filing Date	#	Docket Text
05/27/2009	● <u>47</u>	Certification of Eligibility for Discharge. Pursuant to 11 U.S.C. Sec. 1328(a) the debtor(s) certifies there is no judicial or administrative order or statute that requires Debtor to pay a domestic support obligation. with service filed by Silvia N. Godwin. (Bobis, T.) (Entered: 05/28/2009)
05/14/2009	● <u>46</u>	Court Certificate of Mailing re Notice of Requirement to File a Statement of Completion of Course in Personal Financial Management- BNC (related documents <u>41</u> Notice of Requirement to file Financial Management Course Certificate) Service Date 05/16/2009. (Admin.) (Entered: 05/16/2009)
05/14/2009	● <u>41</u>	Notice of Requirement to file Financial Management Course Certificate. (Admin) (Entered: 05/14/2009)

EXHIBIT 13

05/13/2009	45	Court Notice Served On: 05/15/2009. Opposition due by: 06/15/2009. (related document <u>43</u> Notice of Chapter 13 Trustee's Interim Final Report) (Admin) (Entered: 05/16/2009)
05/13/2009	44	Court Notice Served On: 05/15/2009. Opposition due by: 06/01/2009. (related document <u>42</u> Notice of Chapter 13 Trustee's Interim Final Report) (Admin) (Entered: 05/16/2009)
05/13/2009	43	Court Certificate of Mailing- BNC (related documents <u>40</u> Notice of Chapter 13 Trustee's Interim Final Report) Service Date 05/15/2009. (Admin.) (Entered: 05/15/2009)
05/13/2009	42	Court Certificate of Mailing on Certification of Eligibility for Discharge (DSO)- BNC (related documents <u>40</u> Notice of Chapter 13 Trustee's Interim Final Report) Service Date 05/15/2009. (Admin.) (Entered: 05/15/2009)
05/13/2009	40	Notice of Chapter 13 Trustee's Interim Final Report and Time to File Objections and Release from Liability of Trustee . (Skelton 4, David) (Entered: 05/13/2009)
05/11/2009	39	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>38</u> Order re: Motion for Relief from Stay) (Bobis, T.) (Entered: 05/11/2009)
05/11/2009	38	Order Granting Motion for Relief from Stay MBL-1 (Related Doc # <u>32</u> ) signed on 5/11/2009. (Bobis, T.) (Entered: 05/11/2009)
04/23/2009	37	<i>Steven Houbeck</i> Declaration filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Attachments: # <u>1</u> Proof of Service) (Houbeck, Steven) (Entered: 04/23/2009)
03/06/2009	36	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (Bobis, T.) (Entered: 03/09/2009)
03/06/2009	35	Order Granting Objection to Claim (related documents <u>31</u> Objection to Claim and Notice Thereof) signed on 3/6/2009. (Bobis, T.) (Entered: 03/09/2009)

03/05/2009	34	Receipt of Motion for Relief from Stay(08-06198-LT13) [motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt number 3874893. (U.S. Treasury) (Entered: 03/05/2009)
03/05/2009	33	Notice of Filing of a Motion for Relief from Automatic Stay RS # MBL-1 filed by Matthew B. Learned on behalf of Winstar Mortgage Partners, Inc., its assignees and/or successors, and the servicing agent Aurora Loan Services, LLC. Notice of Filing of Motion for Relief from Stay Served On: 3/5/2009. Request for Hearing & Opposition due by: 3/19/2009 (related documents <u>32</u> Motion for Relief from Stay, ) (Learned, Matthew) (Entered: 03/05/2009)
03/05/2009	32	Motion for Relief from Stay, RS # MBL-1 Fee Amount \$ 150 filed by Matthew B. Learned on behalf of Winstar Mortgage Partners, Inc., its assignees and/or successors, and the servicing agent Aurora Loan Services, LLC (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit) (Learned, Matthew) (Entered: 03/05/2009)
01/12/2009	31	Objection to Claim and Notice Thereof. Re: Claim # 3, Claimant: Roundup Funding LLC. Objection to Claim and Notice Thereof Served On: 1/12/2009. Unless an Order Shortening Time has been entered, Request for Hearing & Opposition due by: 2/17/2009 filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Attachments: # <u>1</u> Exhibit)(Houbeck, Steven) (Entered: 01/12/2009)
01/06/2009	30	Court Certificate of Mailing - BNC (related documents <u>29</u> Notice of Claims Filed and Intention to Pay Claims) Service Date 01/08/2009. (Admin.) (Entered: 01/08/2009)
01/06/2009	29	Notice of Claims Filed and Intention to Pay Claims with Certificate of Service. (Skelton 5, David) (Entered: 01/06/2009)
12/15/2008	28	Notice of Claims Filed and Intention to Pay Claims with Certificate of Service. (Skelton 5, David) (Entered: 12/15/2008)
09/25/2008	27	Proof of Service (related documents <u>25</u> Order re: Motion for Relief from Stay) filed by Christopher M. McDermott on behalf of America's Servicing Company, as servicing agent for Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3, its successors and/or assigns. (McDermott, Christopher) (Entered: 09/25/2008)
		Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the

09/12/2008	26	records of this case. Barry K. Lander, Clerk (related documents <u>25</u> Order re: Motion for Relief from Stay) (Bobis, T.) (Entered: 09/15/2008)
09/12/2008	<u>25</u>	Order Granting Motion for Relief from Stay PD-1 (Related Doc # <u>21</u> ) signed on 9/12/2008. (Bobis, T.) (Entered: 09/15/2008)
08/27/2008	24	Receipt of Motion for Relief from Stay (08-06198-LT13) [motion,185] ( 150.00) Filing Fee. Fee Amount 150.00 Receipt number 3497626. (U.S. Treasury) (Entered: 08/27/2008)
08/27/2008	<u>23</u>	Declaration in Support of <i>Motion for Relief from Automatic Stay</i> (related documents <u>21</u> Motion for Relief from Stay,, <u>22</u> Notice of filing of Motion for Relief from Stay,, ) filed by Anne L. Warner of Pite Duncan, LLP on behalf of America's Servicing Company, as servicing agent for Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3, its successors and/or assigns. (Attachments: # <u>1</u> Exhibit A - Deed of Trust# <u>2</u> Exhibit B - Assignment# <u>3</u> Exhibit C - Payment History# <u>4</u> Exhibit D - Chapter 13 Plan# <u>5</u> Exhibit E - Schedules) (Warner, Anne) (Entered: 08/27/2008)
08/27/2008	<u>22</u>	Notice of Filing of a Motion for Relief from Automatic Stay RS # PD-1 filed by Anne L. Warner on behalf of America's Servicing Company, as servicing agent for Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3, its successors and/or assigns. Notice of Filing of Motion for Relief from Stay Served On: 8/27/2008. Request for Hearing & Opposition due by: 9/10/2008 (related documents <u>21</u> Motion for Relief from Stay, ) (Warner, Anne) (Entered: 08/27/2008)
08/27/2008	<u>21</u>	Motion for Relief from Stay, RS # PD-1 Fee Amount \$ 150 filed by Anne L. Warner on behalf of America's Servicing Company, as servicing agent for Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3, its successors and/or assigns (Warner, Anne) (Entered: 08/27/2008)
08/22/2008	<u>20</u>	Certificate of Mailing on ORDER: I hereby certify that a copy of the Order was mailed this date to the Movant, and if applicable, to the Trustee, the Debtor(s), and the Attorney for the Debtor(s), if any, at their respective addresses as the same appear in the records of this case. Barry K. Lander, Clerk (related documents <u>19</u> Application and Order Confirming Plan and Allowing Attorney Fees) (Bobis, T.) (Entered: 08/22/2008)
		Order Granting Confirmation of Plan and Allowing Attorney's



08/22/2008	● <u>19</u>	Fees; Application for Confirmation of Plan; signed on 8/22/2008. (Bobis, T.) (Entered: 08/22/2008)
08/17/2008	● <u>18</u>	Request for Special Notice Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605 filed by Recovery Management Systems Corporation (Singh, Ramesh) (Entered: 08/17/2008)
08/14/2008	● <u>17</u>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David) (Entered: 08/14/2008)
08/13/2008	● <u>16</u>	Stipulation Extending Time To Object To Debtor's Exemptions And Valuations; Signed On 8/13/2008. (Robinson, G.) (Entered: 08/14/2008)
08/13/2008	● <u>15</u>	Request for Special Notice <i>with Proof of Service</i> filed by William G. Malcolm on behalf of Malcolm & Cisneros Chase Home Finance. (Malcolm, William) (Entered: 08/13/2008)
08/11/2008	● <u>14</u>	Pre Confirmation Modification to Chapter 13 Plan. filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David) (Entered: 08/11/2008)
08/05/2008	● <u>13</u>	Notice of Classification of Claim and Right To Request a Hearing with Certificate of Mailing. filed by David L. Skelton 5 on behalf of David L. Skelton. (Skelton 5, David) (Entered: 08/05/2008)
08/01/2008	● <u>12</u>	Request for Special Notice filed by Alan Steven Wolf on behalf of Navy Federal Credit Union. (Wolf, Alan) (Entered: 08/01/2008)
07/18/2008	● <u>11</u>	Request for Special Notice . (Warner, Anne) (Entered: 07/18/2008)
07/07/2008	● <u>10</u>	Court Certificate of Mailing - BNC (related documents <u>2</u> Chapter 13 Plan) Service Date 07/09/2008. (Admin.) (Entered: 07/09/2008)
07/07/2008	● <u>9</u>	Court Certificate of Mailing - BNC (related documents <u>7</u> Meeting of Creditors, ) Service Date 07/09/2008. (Admin.) (Entered: 07/09/2008)
07/03/2008	● <u>8</u>	Rights and Responsibilities of Chapter 13 Debtors and their Attorney filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Houbeck, Steven) (Entered: 07/03/2008)



07/03/2008	<a href="#"><u>7</u></a>	Meeting of Creditors & Notice of Appointment of Interim Trustee David L. Skelton with <b>341(a) meeting to be held on 08/08/2008 at 02:00 PM at 402 W. Broadway, Sixth Floor, Suite 630 San Diego, CA 92101.</b> , Complaint to determine dischargeability of certain debts deadline: 10/07/2008. Proof of Claim due by 11/06/2008. (Houbeck, Steven) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>6</u></a>	Receipt of Chapter 13 Voluntary Petition(08-06198-13) [misc,1305u] ( 274.00) Filing Fee. Fee Amount 274.00 Receipt number 3396633. (U.S. Treasury) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>5</u></a>	Receipt of Statement of Social Security Number COURT NOTE: The PDF document is a secured image. filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Houbeck, Steven) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>4</u></a>	Declaration Re: Electronic Filing filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Houbeck, Steven) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>3</u></a>	Certificate of Credit Counseling for Debtor filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Houbeck, Steven) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>2</u></a>	Chapter 13 Plan filed by Steven R. Houbeck on behalf of Silvia N. Godwin. (Houbeck, Steven) (Entered: 07/03/2008)
07/03/2008	<a href="#"><u>1</u></a>	Chapter 13 Voluntary Petition, Schedules A-J & Statement of Financial Affairs Fee Amount \$ 274.00 filed by Steven R. Houbeck on behalf of Silvia N. Godwin. Declaration re: ECF due by 7/18/2008, (Houbeck, Steven) (Entered: 07/03/2008)

B 203  
(12/94)UNITED STATES BANKRUPTCY COURT  
Southern District of CaliforniaIn re: Silvia N. Godwin

Debtor

Case No. \_\_\_\_\_

Chapter 13**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>3,300</u>
Prior to the filing of this statement I have received	\$	<u>1,300</u>
Balance Due	\$	<u>2,000.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify) \_\_\_\_\_

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]

**None**

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**None**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 7/3/2008

Steven R. Houbeck, Bar No. 168018

**Steven R. Houbeck, Esq.**  
Attorney for Debtor(s)

Case 08-04626-LT13 Filed 08/22/08 Doc 19 Pg. 1 of 1  
 Steven R. Houbeck CSB#168018  
 P.O. Box 150  
 Cardiff, CA 92007  
 619-463-4357

UNITED STATES BANKRUPTCY COURT  
 Southern District of California

Re:

SILVIA N. GODWIN

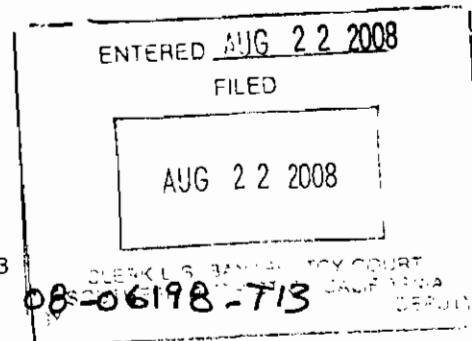
CHAPTER 13

Case No.

08-06198-713

APPLICATION FOR CONFIRMATION OF PLAN;  
 ORDER CONFIRMING PLAN AND ALLOWING  
 ATTORNEY FEES

Debtor(s)



I APPLICATION FOR CONFIRMATION AND DISCLOSURE OF COMPENSATION

The undersigned attorney for Debtor(s) herein represents:

1. The Section 341(a) meeting is concluded and the plan complies with Sections 1322 and 1325(a). A Rights and Responsibilities document has been filed if fees are requested below. If fees exceed guideline fees, a fee application must be filed and paragraph 2d below should state "fee application". **RR# 8**
2. a. The agreed initial fee for attorney services: \$ 3,300 -;  
 b. Additional fees not part of initial fee: \$ \_\_\_\_\_;  
 (Specify: \_\_\_\_\_)  
 c. Total fees received to date: \$ 1,300 -;  
 d. Total unpaid balance of guideline fees: \$ 2,000 -.
3. Wherefore, the undersigned prays that the debtor(s) plan be confirmed and guideline attorney fees be allowed in the amount set forth.

Dated: 7-3-08

Attorney for Debtor(s):

(Printed name and signature)

II ORDER CONFIRMING DEBTOR(S) PLAN AND ALLOWING ATTORNEY FEES

Upon considering the foregoing application IT IS HEREBY ORDERED THAT:

1. The debtor(s) plan dated 7/3/08 as amended by pre-confirmation modification(s) dated 8/8/08 is confirmed.
2. The guideline attorney fees are allowed as requested, with the unpaid balance to be paid as provided in the plan; no further fees to be allowed for the same services.

Dated: August 22, 2008

Bankruptcy Judge

**CRP**

08-06198-LT13

San Diego, March 25, 2009

U.S. Trustee  
402 West Broadway, Suite 600  
San Diego, CA. 92101

Dear U.S. Trustee,

It came to my attention a couple of claims shown on my report statement that are inaccurate: one is claim number 799 of \$2000 paid to my attorney, Mr. Steve Houbeck. I believe there is another one for \$250 also issued to my attorney.

As you can see on the enclosed documents, Mr. Houbeck got paid his fees in the full amount he requested from me. The initial amount of \$2774 was the upfront payment of his fees and any other costs involved. The second amount of \$200 was his fees for disputing a charge.

I hope this helps clarify that what Mr. Houbeck filed with the court is incorrect.

Please, notify me about any decision made regarding this issue. My phone number is: 858-653-6767, and my address is: 11651 Wills Creek Rd. San Diego, CA 92131.

Sincerely,

  
Silvia Godwin

2009 MAR 27 PM 12:44

U.S. Trustee  
402 West Broadway  
San Diego, CA 92101



Silvia N. Godwin-Sourcy  
858-653-6767  
11651 Mills Creek Rd.  
San Diego, CA 92131

90-8157-3222

4300

5/01 80 08

Pay to the order of Steven Houbeck \$2,774.00  
Twenty seven hundred seventy four Dollars

CALIFORNIA COAST CREDIT UNION  
P.O. Box 502080  
San Diego, CA 92150-2080  
(658) 495-1600

Follow Your Heart

*Silvia N. Godwin-Sourcy*

For [Redacted] 4300

ate:05/05/2008 Member Number: [Redacted]760 Sequence/Trace #: [Redacted]140 Amount:\$2,774.00 Debit/Credit:D Acct/MICR or  
LR#: [Redacted]6008 XP Format SDC#: [Redacted]6008 Member Account [Redacted] Transit/Routing [Redacted]1578 Check Number:4300

PAY TO THE ORDER OF  
BANK OF AMERICA  
SAN FRANCISCO, CA 94137  
FOR DEPOSIT ONLY  
STEVEN R. HOUBECK  
[Redacted] 9626



Silvia Godwin-Soucy  
 11651 Mills Creek Rd  
 San Diego, CA 92131  
 858-653-6767

4367  
 90-0167/2222

1/06/08  
 DATE

Pay to the ORDER OF Steve Houbeck \$200.00

— Two hundred — DOLLARS

CALIFORNIA COAST CREDIT UNION  
 P.O. BOX 502080  
 958-485-1800  
 SAN DIEGO, CA 92150

525246010 01-13-09 1513

FOR Steve Houbeck

4367 00000020000

PROC. CTR - EL SEGUNDO CA  
 525246010 2738 1513 00 60 0038  
 BANK OF AMERICA  
 01/14/09

1573

WAMU BK CA  
 >322271627<  
 01-13-09  
 6010

465

*Steve Houbeck*

Close Print

1 Steven R. Houbeck, Esq. #168018  
2 Attorney at Law  
3 P.O. Box 150  
4 Cardiff, CA 92007  
5 619-463-4357

6 Attorney for Debtor

7 UNITED STATES BANKRUPTCY COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA

9  
10 In re: DONALD SOUCEY ) Case # 08-04626-T13  
11 SILVIA N. GODWIN ) Case # 08-06198-T13  
12 )  
13 ) DECLARATION OF  
14 ) STEVEN HOUBECK  
15 ) Date:  
16 ) Time:  
17 ) Dept:  
18 )

19 I, Steven Houbeck, the attorney in the above entitled cases, declare:

20 1. Mr. Soucey and Ms. Godwin presented themselves together to the undersigned  
21 sometime in April 2008 to discuss some joint legal issues they were having.

22 2. It has come to my attention from Ms. Haeji Hong of the UST that the debtors have  
23 questions concerning the attorney fees and monies held in trust. I have tried to engage in  
24 meaningful communication with my clients regarding their concerns to no avail. Mr. Soucey  
25 claims that someone from Mr. Skelton's office told them not to speak with me and will not meet  
26 with me in person to discuss the situation. Ms. Godwin refuses to respond to numerous phone  
27 calls and emails I have sent her. Both refuse to cooperate or provide any meaningful  
28 communication to me for their case.

3. I indicated this to Ms. Hong and requested a copy of the correspondence Debtors sent  
to the UST so I would know what the problem was. Ms. Hong indicated in an email that I would  
have to make a formal request under the Freedom of Information Act. I am not sure how to do  
that and I believe it would take a very long time.

1           4. According to my accounting, Mr. Soucey paid pre-petition \$2574.00. Of that, \$274  
2 covered the filing fee; \$55 for the credit check; and \$1245 placed in trust as adequate protection  
3 payments pursuant to Bankruptcy Code section 523(a)(16) and In re Lenz 90 BR 458; 110 BR  
4 523. Those funds remain in trust.

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10 returned to the debtors with admonishments as to the consequences of the release. Without the  
11 debtors cooperation and communication, I am concerned that their failings will result in dire  
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14  
15 UNDER PENALTY OF PERJURY, I DECLARE THE FOREGOING TO BE TRUE AND CORRECT TO THE  
16 BEST OF MY KNOWLEDGE AND BELIEF.

17  
18  
19 DATED:04-23-09

/s/Steven R. Houbeck  
STEVEN R. HOUBECK  
ATTORNEY FOR DEBTOR(S)